

## Message Text

UNCLASSIFIED

PAGE 01 GENEVA 04089 01 OF 02 161756Z POSS DUPE  
ACTION L-03

INFO OCT-01 IO-14 ISO-00 DOE-11 ACDA-12 CIAE-00  
DODE-00 PM-05 INR-10 NSAE-00 NASA-02 NSC-05  
SOE-02 SS-15 OES-07 AF-10 ARA-14 EA-12 EUR-12  
NEA-10 PA-02 /147 W  
-----009745 162029Z /53

R 161712Z MAR 78  
FM USMISSION GENEVA  
TO SECSTATE WASHDC 7300  
INFO USMISSION USUN NEW YORK

UNCLAS SECTION 01 OF 02 GENEVA 04089

E.O. 11652 N/A  
TAGS: TSPA, UN, UR  
SUBJ: LEGAL OUTER SPACE COMMITTEE

1. SUMMARY. SECOND AND THIRD DAYS OF LSC DEVOTED TO  
CONTINUATION OF GENERAL DEBATE AND COMMENCEMENT OF DISCUS-  
SION ON MOON TREATY. IN LATTER AREA, SOVIETS PERSISTED  
IN REFUSING TO ACCEPT MOTION OF "COMMON HERITAGE OF MAN-  
KIND," TO THE FRUSTRATION OF LDC ON COMMITTEE. IN GENERAL  
DEBATE, CANADA, SWEDEN, AND JAPAN DEVOTED THEMSELVES  
ALMOST ENTIRELY TO COSMOS AND REGULATION OF NUCLEAR POWER  
SOURCES IN SPACE. END SUMMARY.

2. IN GENERAL DEBATE, DELEGATIONS OF CANADA, SWEDEN AND  
JAPAN MADE STATEMENTS ON THE USE OF NUCLEAR POWER SOURCES  
IN OUTER SPACE, WITH SPECIFIC REFERENCE TO THE RECENT  
INCIDENT OF THE SOVIET SATELLITE COSMOS 954 (TEXTS POUCHED  
L/UNA, STEWART). AMBASSADOR JAY OF CANADA MADE THE FOLLOW-  
ING POINTS REGARDING INTERNATIONAL LEGAL ASPECTS:

--SEVERAL PIECES OF THE REENTERED SATELLITE DEBRIS HAVE  
BEEN FOUND TO BE RADIOACTIVE AND THE RECOVERY OPERATION  
CONTINUES.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 GENEVA 04089 01 OF 02 161756Z POSS DUPE

--RETURN OF RADIOACTIVE DEBRIS RAISES IMPORTANT ISSUES OF  
INTERNATIONAL LAW RELATING TO EXISTING INSTRUMENTS GOVERN-  
ING USE OF OUTER SPACE.

--THERE IS NEED FOR DEVELOPMENT OF ADDITIONAL MEASURES TO  
INSURE HIGHEST STANDARDS OF SAFETY FOR MANKIND.

--TWO NOTIFICATIONS UNDER ART 5, PAR 1, OF 68 AGREEMENT WERE MADE TO SEC GEN, UN, AND SOVIET UNION.  
--CANADA HAS NOTIFIED USSR THAT A CLAIM WILL BE SUBMITTED FOR DAMAGES, INCLUDING SEARCH AND RECOVERY, AND OPERATION IN WHICH IT EXISTED BEFORE DAMAGE OCCURRED.

--CLAIMS WILL BE PURSUED THROUGH BILATERAL CHANNELS.

--THE SPECIAL HAZARDS POSED BY USE OF NUCLEAR POWER SOURCES IN SPACE REQUIRE REVIEW OF EXISTING INTERNATIONAL INSTRUMENTS TO DETERMINE IF GUIDING PRINCIPLES OR BINDING LEGAL OBLIGATIONS SHOULD BE ADOPTED. HOWEVER, NEITHER A HASTY APPROACH NOR DEFINITE SOLUTIONS ARE REQUIRED.

--CONSIDERATION SHOULD BE GIVEN TO POSSIBILITY OF ELABORATING MORE STRINGENT NOTIFICATION REQUIREMENTS AT FOUR STAGES OF VEHICLE LIFE: INITIAL LAUNCH, ORBIT DECAY, PERIOD IMMEDIATELY PRIOR TO IMPACT, AND AFTER IMPACT OCCURS.

--REQUESTED THAT LEGAL SUBCOMMITTEE BEGIN TO DEVELOP MULTILATERAL REGIME OF STRICT AND FULLY EFFECTIVE STANDARDS, SAFEGUARDS AND RESTRICTIONS ON THE USE OF NUCLEAR POWER SOURCES IN OUTER SPACE.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 04089 01 OF 02 161756Z POSS DUPE

3. AMBASSADOR OGISO OF JAPAN MADE THE FOLLOWING POINTS:

--COSMOS 954 INCIDENT CAUSED DEEP CONCERN IN JAPAN, AS REFLECTED IN RESOLUTIONS OF BOTH HOUSES OF PARLIAMENT.

--CALLED ON LEGAL SUBCOMMITTEE TO EXAMINE RELATED LEGAL ASPECTS AND POSSIBLE LEGAL MEASURES TO SECURE AND ENHANCE SAFETY OF SATELLITES EQUIPPED WITH NUCLEAR POWER SOURCES, INCLUDING SUCH MEASURES AS VARIOUS LEGAL CONTROLS APPLIED TO SATELLITES, ESPECIALLY THOSE WITH NUCLEAR POWER SOURCES, THE POSSIBILITY OF PROHIBITING THE LAUNCHING OF SATELLITES DESIGNED FOR USE AS DESTRUCTIVE WEAPONS AND A SYSTEM OF OBLIGATORY NOTIFICATIONS, INCLUDING EMERGENCY NOTIFICATION IN CASE OF ABNORMAL FLIGHT.

4. SWEDISH DEL STATED THAT WHILE THE ESTABLISHMENT OF SAFEGUARDS NEEDS TO BE PREMISED ON TECHNICAL INVESTIGATION, SOME MEASURES, SUCH AS PRIOR NOTIFICATION AND EMERGENCY ASSISTANCE IN LOCATING AND CLEANING UP DEBRIS COULD BE DISCUSSED WITHOUT TECHNICAL PRELIMINARIES. SWEDEN ALSO URGED THAT THERE BE A MORATORIUM ON THE LAUNCHING OF SATELLITES WITH NUCLEAR REACTORS ABOARD.

SWEDISH DEL MADE CLEAR IN RESPONSE TO PRIVATE QUESTION FROM US DEL THAT TERM QUOTE NUCLEAR REACTORS UNQUOTE WAS SPECIFICALLY USED, RATHER THAN BROADER TERM QUOTE NUCLEAR POWER SOURCES UNQUOTE.

5. FRG OPENING STATEMENT STRESSED FREE FLOW OF INFORMATION IN DBS CONTEXT. ECUADOR EMPHASIZED IMPORTANCE OF DEFINITION OF OUTER SPACE AND SOVEREIGNTY OVER GEOSTATIONARY ORBIT.

6. MOON TREATY. DISCUSSION WAS LARGELY A REPETITION OF

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 GENEVA 04089 02 OF 02 161800Z POSS DUPE  
ACTION L-03

INFO OCT-01 IO-14 ISO-00 DOE-11 ACDA-12 CIAE-00  
DODE-00 PM-05 INR-10 NSAE-00 NASA-02 NSC-05  
SOE-02 SS-15 OES-07 AF-10 ARA-14 EA-12 EUR-12  
NEA-10 PA-02 /147 W

-----009829 162029Z /53

R 161712Z MAR 78  
FM USMISSION GENEVA  
TO SECSTATE WASHDC 7301  
INFO USMISSION USUN NEW YORK

UNCLAS SECTION 02 OF 02 GENEVA 04089

LAST YEAR'S DEBATE. THE USSR AND BULGARIA, CITING CONFUSION AS TO THE TRUE MEANING OF THE PHRASE "COMMON HERITAGE OF MANKIND," PROPOSED AN OPTIONAL PROTOCOL TO THE MOON TREATY WHICH WOULD DEAL WITH THE CONCEPT AS IT RELATES TO THE NATURAL RESOURCES OF THE MOON. CHILE, BRAZIL, MEXICO, ARGENTINA, EGYPT, KENYA AND INDIA, AMONG OTHERS, WERE CRITICAL OF THE SOVIET POSITION AS THEY BELIEVED THAT THE COMMON HERITAGE CONCEPT WAS CENTRAL TO THE MOON TREATY AND THEREFORE NOT SUITABLE FOR AN OPTIONAL PROTOCOL. SOME LDCS ADMITTED THAT THE EXACT MEANING OF THE CONCEPT WAS NOT CRYSTAL CLEAR, BUT THOUGHT THAT THE SCOPE OF THE CONCEPT COULD BE SET OUT IN A PROTOCOL FULLY INTEGRATED WITH THE TREATY. AUSTRIA TRIED TO FIND A MIDDLE GROUND. THE US KEPT ITS PEACE, WATCHING THE LDCS PILE ON THE SOVIETS. US DEL ONLY NOTED THAT THE "COMMON HERITAGE" CONCEPT HAD BEEN INTRODUCED BY THE US AND THAT WE COULD LIVE WITH ANY REASONABLE COMPROMISE ON THE SUBJECT. VANDEN HEUVEL

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COMMITTEES, SPACE PROGRAMS, ASTRONOMICAL BODIES & SYSTEMS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978GENEVA04089  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780117-1040  
**Format:** TEL  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780362/aaaabztm.tel  
**Line Count:** 169  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** ea244bc6-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29 mar 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3313035  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LEGAL OUTER SPACE COMMITTEE  
**TAGS:** TSPA, UR, UN  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odhc://SAS/SAS.dbo.SAS\_Docs/ea244bc6-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014